

MIP

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
08 APR 16 PM 12:43

UNITED STATES OF AMERICA,

Plaintiff,

v.

Juan Carlos CAMACHO-Rivera,

Defendant

) Magistrate Docket No. **08 MJ 1171**

) COMPLAINT FOR VIOLATION OF:

) Title 8, U.S.C., Section 1326

) Attempted Entry After

) Deportation

The undersigned complainant, being duly sworn, states:

On or about **April 15, 2008** within the Southern District of California, defendant, **Juan Carlos CAMACHO-Rivera**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, attempted to enter the United States with the purpose, i.e. conscious desire, to enter the United States at or near the San Ysidro, California Port of Entry, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

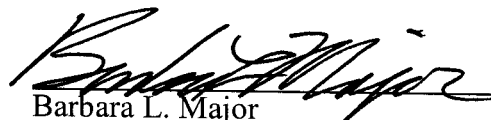
And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT

James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 16th DAY of APRIL, 2008



Barbara L. Major

UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:**Juan Carlos CAMACHO-Rivera****PROBABLE CAUSE STATEMENT**

On April 15, 2008 at approximately 04:15 a.m., Border Patrol Agent E. Mendoza observed an individual going over the International Border Fence in an area known as "Whiskey 3." This area is approximately one mile west of the San Ysidro Port of Entry and 50 yards north of the International Border.

This individual continued to run north.. Upon approaching the last known area and after a brief search, Agent Mendoza was able to locate the subject later identified as the defendant **Juan Carlos CAMACHO-Rivera**. Agent Mendoza immediately identified himself as a United States Border Patrol Agent and questioned the defendant as to his citizenship and nationality. The defendant freely admitted to being a citizen and national of Mexico and in the United States illegally without any valid immigration documents. The defendant was arrested and transported to the Imperial Beach Border Patrol Station for further processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **February 23, 2007** through **San Ysidro, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was advised of his Miranda rights. The defendant stated that he understood his rights and was willing to answer questions without an attorney present. The defendant admitted that he is a citizen and national of Mexico illegally present in the United States. He stated he was going to Los Angeles, California.